R. Dis. **File No.** 148

1939.

Collection No.

P 20

Pros. Serial Nos. 1 - 7

Subject.

Revision of Survey + Settlement of Station Villages

Previous References.

689
37
370
1899
1283
35
572
1899 1889.

Later References.

W 157 / 40

S. 97.—(Green).

MFP—1663 S&P—(M-2971)—24-6-38—100,000.

NOTES AND PRECIS.

R. Dis. **FILE No.** 148 **1939**

Section. File No.

Heading. Serial No.

NOTES.

DEPT. BRANCH.

Pros. 19 . Nos.

Subject.

Revision of Survey + Settlement of Skaha Villages

Notes and Orders.

689/37

S. 1.

MFP—1406 S&P—(M-2338)—18-3-37—200,000.

Dy. No. 274 S.N.1.

1 'B' Please see para 10 of S.N.9 and S.N.28, 29, 32 and 3[illegible] of F.572-1889.

2 Part of the Kayamgutta village of Baiderhalli lies within the Station limits and part within the Mysore State. The Kayamguttadar has applied to the Collector for the re-survey and settlement of the portion within the Station limits; it is not known whether he has made a similar application to the Mysore Govt. in respect of the portion within the State territory.

Sm o (B) 572-09

3 The Collector has, in consultation with the Mysore Survey Authorities, recommended that the Dist. Survey Officer of the Bangalore Dist. may be placed in charge of the proposed re-survey and settlement and be granted the necessary powers.

4 If approved, we may first consult the Govt. of Mysore. Draft submitted.

(5) What is the 'K' Tenure? How is his 'peishcash' fixed

11/2/39

SAM 7/2/39.

10.2.39

Spcy

6 Kayamgutta lands are inam lands. 'Kayamgutta Tenure' is defined as follows at page 476 of Vol. I of the Mysore Revenue Manual, 1931 Edition.

"This term, in its literal sense describes a permanent village settlement; and it probably owes its origin to a time when many villages were depopulated and when the Government found it advantageous to rent out such villages on a fixed but very moderate lease, the renter

undertaking

undertaking to restore them to their former prosperous condition. These tenures were also largely added to, during (The former) Maharaja's (Krishnaraja Wodayar III's) direct administration of the country, when in several cases flourishing villages were given to favourites at Court."

1 The history of Kayamgutta villages in Mysore is given in paragraph 270 of the Mysore Revenue Manual.

8 The 'Peishcash' on Kayamgutta lands proper which were intended to promote cultivation under the incentive of a permanent assessment, was based on the then existing land revenue. A list of the Kayamgutta villages in Mysore was prepared soon after 1831 and the titles to them were regularised in accordance with the principle enunciated in paragraph 270(3) of the Mysore Revenue Manual. Where the title was found to have been held on proper authority and not to have originated in fraud, the village was confirmed as Kayamgutta holding, on the (then existing) gutta amount, free of additional payment and recognised as a permanent, heritable and transferable tenure.

9 After rendition and the assignment of the Civil and Military Station of Bangalore, the Kayamgutta villages in the Station were (and are):-

S.N.9
F.572/1889
(B)

		Revenue payable.
(1) Dodagoontah	...	Rs. 526 3 6
(2) Binnamungala	...	254 8 6
(3) Baderhully	...	394 11 8

S.N.8(a) (B)
F.572/89.

(1) & (2) were surveyed in (1891-) 1892 and (3) was (first) surveyed in 1884, and (then) in 1906; ~~and their titles might have been further examined and confirmed.~~ (Please see the "Note on the villages in the C & M Station of Bangalore" at S.N.9 of F.572/1889.)

B.

A survey of a Kayamgutta village will not affect its assessment. The kayamguttadar of Baiderhalli is probably asking for the survey of the village in his own interests vis a vis his tenants.

May the draft now issue ?

14.2.39.

14.2.39

Secy

No objection to the Survey. But what does a Settlement in a kayamgutta village imply? And under what provision can the Kayamguttadar ask for one. Are the village tenants or he the landlord charging rent, & does he charge assessment at rates fixed by a settlement?

14/2/39

12

Under section XLIX of Bombay Act I of 1865, as applied to the Civil and Military Station of Bangalore, a Kayamguttadar can ask for a survey and settlement of his village. (A Kayamgutta Village has been Considered to be an alienated Village)

* Page 162 of The Mysore Survey Manual, 1886.

13

In Kayamgutta villages lands may be of two kinds:-

c.f. para 2 of section 6 - page 66 of Mysore Revenue Manual. 1886.

(a) lands in the occupation of the Kayamguttadar or under cultivation by temporary tenants who obtained them from him and do not hold the lands in any independent right, and

(b) lands held by ryots in their own right and for which they pay Government Kandayam (assessment) to the Kayamguttadar.

c.f. Page 58-59 of Mysore Revenue Manual 1886

In the case of lands falling under category (a) the Kayamguttadar is entitled merely to the dues of his lands according to the terms of the agreement between the Kayamguttadar and the renter and can on no account interfere with or disturb the long established right of cultivators nor levy any new assessment or other 'babs' contrary to the 'rivaz' of his village. The tenants of these lands are tenants at will, their tenancy being renewable annually either at the will of the Kayamguttadar or the request of the tenant.

* "An item; head of accounts."

"Ancient rate of assessment on each particular field; rate". (Defined in the new Mysore Revenue Manual (1960) p 470 & 480

14

As regards lands falling under class (b) Kayamguttadar can only claim the ordinary assessment on the land and the ryots hold the lands in independent right and do not derive it from the Kayamguttadar.

15

In case of arrears of rent the Kayamguttadar can subject to certain rules (given on page 59 of

the

the Mysore Revenue Manual, 1886) distrain the produce of the land in respect of which the arrears are due.

Settlement in a Kayamgutta village.

6 (a) The effect of a settlement in a kayamgutta village will be as follows:-

(b) A settlement will enable the Kayamguttadar to know what lands in category (a) have been improved upon and where any improvements have been made, he can enhance the rent according to revised valuation of the land made as a result of the settlement.

(c) As regards lands under (b) when a settlement has been introduced, the ryots will have in respect of the lands in their occupation, the same rights and be affected by the same responsibilities as occupants of lands in Government villages.

c.f. Sec. 237 of the Mysore Land Revenue Code, 1888.

(d) No settlement can however be introduced in a Kayamgutta village except at the option of the kayamguttadar, and the execution of a detailed survey and the introduction of the survey rates into the village, is entirely optional with him. Government does not insist on a Kayamguttadar adopting the survey rates and his relation with his tenants will not be interfered with. Even if the Kayamguttadar were to introduce the revised settlement rates into his villages, the gutta (assessment, etc.) payable by him to Government would not be affected.

17 For orders whether the letter to Mysore Government as proposed in para 4 of these notes may now issue.

8.3.39.

8.3.39

6

18 Thank you. Issue draft.

Rubrau

9/3/39.

Draft

S.N. (2) Issue

D.No.3492 S.N.(3)

+ C.P. 1 and 4

(2)

Please see S.N. 1 and 2

19 Two draft notifications are submitted for approval.

(Para 19)

Rubrau

18/4/39.

12.4.39

17.4.39

a Spy.

S.N. (4 & 5) Issue

Draft

D.No.6026 S.N.6

20 Please see S.N.1 to 5. The notification of the District Survey Officer, Bangalore, City, received with the p.u.c may be published in the Mysore Residency Orders.

Draft submitted.

Record

15/6/39.

15.6.39

15/6

Draft

AWAIT/19-10-39.

S.N.(7) ISSUE.

OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.

No.3064-D-38 Enc.2 *Dated* 8th January *193* 9.

OFFICE OF THE RESIDENT IN MYSORE
BANGALORE 10/1/39
Recd. No. 274
File No.

FROM

C.F.V. Williams, Esq., I.C.S.,

COLLECTOR, CIVIL AND MILITARY STATION,
BANGALORE.

TO

The Secretary to the Hon'ble the Resident in Mysore,

Bangalore.

SIR,

Resurvey and settlement - Kayamgutta Baiderhalli village - Letter No.3404 dated the 10th December 1938 from the Superintendent, Land Records.

-:0:-

The Kayamguttadar of Baiderhalli village has applied for the survey and settlement of the village. The Mysore Survey Authorities have agreed to undertake the work and the Kayamguttadar has deposited the necessary costs. The District Survey Officer, Bangalore District, will be in charge of the work.

I enclose two draft notifications one ordering the resurvey under Section XXX of the Bombay Act I of 1865 and another appointing the officer in charge of the Survey and Settlement and conferring upon him the powers of a Collector within the said village under Sections V and VI of the said Act and request that they may be issued at an early date after obtaining the approval of the Hon'ble the Resident in Mysore.

I have the honour to be,

Sir,

Your most obedient servant,

COLLECTOR.

MAB.9/1.

DESPATCHED -9 JAN. 1939

THE HON'BLE THE RESIDENT IN MYSORE.

(DRAFT). NOTIFICATION.

No. Dated, Bangalore January 1939.

Whereas the Kayamguttadar of Kayamgutta Baiderhalli village situated within the limits of the Civil and Military Station, Bangalore has applied for the fresh survey and settlement of his village and whereas the provisions of the Bombay Act I of 1865 have been extended to the said Kayamgutta village under Notification No.5508 dated 25-9-1905, the Resident in Mysore, in exercise of the power vested in him under Section XXX of the said Act as applied to the Civil and Military Station, Bangalore by and under the authority of the Political department Notification of the Government of India in the Finance Department No.50-I.B., dated 23-2-1938, is pleased to direct the above fresh survey, classification of soils and settlement of assessment.

S.N. 33
F. 572-89
(B)

(M)
Returned

The date of commencement of operations will be notified by the Officer in Charge of Survey and Settlement in due course.

SECRETARY TO THE RESIDENT.

COLLECTOR.

9.1.89

MAB.9/1.

(3)

THE HON'BLE THE RESIDENT IN MYSORE.

(DRAFT) NOTIFICATION.

No. Dated, Bangalore January 1939.

Under Section V of Act No.I of 1865 (Bombay Survey and Settlements Act) as applied to the Civil and Military Station, Bangalore and under the authority of the Government of India Notification No.50-I.B., dated 23-2-1938, the Resident in Mysore is pleased to appoint the District Survey Officer, Bangalore District, to be the officer in charge Survey and Settlement of Kayamgutta Baiderhalli village for the purpose of carrying out a re-survey, classification of soils and settlement of assessment of the lands comprised within the said village as directed in his Notification No. dated

Under Section VI of the said Act, the Resident in Mysore, is pleased to confer on the said officer in charge of Survey and Settlement of Kayamgutta Baiderhalli village, all the powers of a Collector as described in the said Act to be exercised in the said Kayamgutta Baiderhalli village in carrying out the said re-survey, classification and settlement of assessment.

SECRETARY TO THE RESIDENT. COLLECTOR.

MAB.9/1.

(4

R.Dis.No.F. 148-39 15/3/39

From

The Secy. to the Resident.

To

The Financial Secy. to the Govt. of Mysore.

Re-survey and settlement of Kayamgutta Baiderhalli Village.

- - -

Sir,

I am directed to enclose a copy of letter from the Collector, C & M. Stn., Bangalore, No.3064-D-38, dated the 8th Jan. 1939, with enclosures.

2. I request you to inform me whether the Govt. of Mysore see any objection to the re-survey and settlement of the Kayamgutta Baiderhalli Village in the C & M. Station or to the appointment of the District Survey Officer, Bangalore District, as the Officer in Charge of the Survey and Settlement.

3. I request the favour of a very early reply.

I have etc.,

(Sd) A.J. Courtney

for Secy. to the Resident.

S.N.3

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 31st March 1939.

1st April 1939

No. Rol 12 14
L.S.47-39-2

From Rajasevaprasakta
B. T. Kesavaiengar, Esq., B.A.,
Chief *Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

SUBJECT:- Re-Survey and Settlement of Kayamgutta Baiderhalli village in Civil and Military Station.

Sir,

S.N.2 / c.p.4 / (F) / (D)

With reference to your letter No.R.Dis.F.148-39/G&A. dated 15th March 1939 on the above subject, I am directed to state that the Government of Mysore have no objection to the introduction of Survey and Settlement into the village referred to above or to the appointment of the District Survey Officer, Bangalore District, as the Officer in charge of the operations.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
4/A 3 APR. 1939
Diary No. 3492
File No. RD 148/39

I have the honor to be,
Sir,
Your most obedient servant,

Chief Secretary to Government.

SR/3

N. 4 (Draft)

THE HON'BLE THE RESIDENT
IN MYSORE.

No. 35. Dated 28th April 38

NOTIFICATION.

Whereas the Kayamgruttadar of Kayamgrutta Baidernalli village situated within the limits of the C & M Station, Bangalore, has applied for the fresh survey and settlement of his village and whereas the provisions of the Bombay Act I of 1865 have been extended to the said Kayamgrutta village under Notification No. 5508 dated 25-9-1905, the Resident in Mysore, in exercise of the power vested in him under Section XXX of the said Act as applied to the C & M Station, Bangalore, by and under the authority of the Political Department Notification No. 50-I.B., dated the 23rd Feby. 1938, directs the above fresh survey, classification of soils and settlement of assessment.

The date of commencement of operations will be notified by the Officer in Charge of Survey and Settlement in due course.

SECY. TO THE RESIDENT.

To be published in the Mysore Residency Orders.

Copy forwarded to the Collector, C & M Station, Bangalore, with reference to his letter No.3064-L-38, dated the 8th Jany. 1939.

Copy

(4)

Copy forwarded with compliments to the Chief Secretary to the Govt. of H.H. the Maharaja of Mysore for information, with reference to his letter No. Pol. 1214/L.S. 47-39-2, dated the 1st April 1939.

S.N. 3
C.P. 5

12.4.39

17.4.38

2 drafts
Issued 28/4/39 draft-II
P.

In 20m

Not-pul c/s

Removed

(Draft)

THE HON'BLE THE RESIDENT
IN MYSORE.

No.36- Dated 28th April 1939.

NOTIFICATION.

Under Section V of Act I of 1865 (Bombay Survey and Settlements Act) as applied to the C & M Station, Bangalore, and under the authority of the Political Department Notification No. 50-I.B., dated the 23rd Feby. 1938, the Resident in Mysore with the consent of the Govt. of Mysore ~~is pleased to~~ appoint the Dist. Survey Officer, Bangalore Dist., to be the officer in charge Survey and Settlement of Kayamgutta Baiderhalli village for the purpose of carrying out a re-survey, classification of soils and settlement of assessment of the lands comprised within the said village as directed in his Notification No.35 dated the 28th April 1939.

Under Section VI of the said Act, the Resident in Mysore, is pleased to confer on the said officer in charge of Survey and Settlement of Kayamgutta Baiderhalli village, all the powers of a Collector as described in the said Act to be exercised in the said Kayamgutta Baiderhalli village in carrying out the said re-survey, classification and settlement of

assessment

* To be filled in from draft-I

assessment.

SECY. TO THE RESIDENT.

To be published in the Mysore Residency Orders.

Copy forwarded to the Collector, C & M Station, Bangalore, with reference to his letter No.3064-D-38, dated the 8th Jany. 1939.

S.N.1 / C.P.1 (F)

Copy forwarded with compliments to the Chief Secy. to the Govt. of H.H. the Maharaja of Mysore for information, with reference to his letter No. Pol. 1214/L.S. 47-39-2, dated the 1st April 1939.

S.N.3 / C.P.5

12.4.39

17/4

25/4

Urgent 11/14 a 4.40 pm

S N 46 V

10

OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.

No. 2118-D-39. Enc.1. *Dated* 14th June *193* 9.

FROM

H.H. Carleston, Esq., I.C.S.,

COLLECTOR, CIVIL AND MILITARY STATION,
BANGALORE.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
14 JUN. 1939
Diary No. 6026
File No. R 148/39.

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

SIR,

S.N.445
c.p.6—9
R.D.148-39.

Resurvey and Settlement - Kayamgutta Baiderhalli village - The Hon'ble the Resident's Notifications Nos.35 and 36 dated the 28th April 1939.

- - -

I enclose copy of the notification of the District Survey Officer, Bangalore City in respect of commencement of the survey operations in Kayamgutta Baiderhally village, for favour of publication in the ensuing issue, Mysore Residency Orders.

I have the honour to be,

Sir,

Your most obedient servant,

H.H. Carleston

COLLECTOR.

DESPATCHED
14 JUN. 1939

MAB.14/6.

(11)

Office of the District Survey Officer,
Bangalore District and
Officer in charge of Survey and Settlement
of Kayamgutta Village,
Civil and Military Station,

No. Dated, Bangalore, 10th June 1939.

NOTIFICATION.

Whereas the Hon'ble the British Resident in Mysore has under Section XXX of the Bombay Act I of 1865 ordered the introduction of a fresh Survey and Settlement into Kayamgutta Byaderhalli Village, Civil and Military Station, Bangalore, in Notification No.35 dated 28th April 1939 and whereas under the Hon'ble the Resident's Notification No.36, dated 28th April 1939, the District Survey Officer, Bangalore has been appointed Officer in charge of Survey and Settlement of the said Kayamgutta Village and invested with all the powers of a Collector under Sections V and VI respectively of the said Bombay Act it is hereby notified for the information of the Kayamguttadar and the tenents holding lands in the said Kayamgutta village that the Survey and Classification Operations in the said village will be commenced from or about the 20th or the 21st of June 1939 by Mr.M.S.Hanumanthachar, Surveyor who is deputed for the purpose.

S.N.4 / C.P.647 / R.D.148-39

S.N.5 / C.P.8-9 / R.D.148-39

The Kayamguttadar and the tenants should be present at the spot during the Survey Operations, point out the boundaries of their lands in their holding and furnish the labour necessary for the measurement and the erection of boundary marks. They should furnish such information as is necessary for the preparation of a record as required by Section XXVII of the said Bombay Act and should also produce when called on, sannads, kauls, leases, Title-Deeds, or documents relating to the lands in their holding.

Sd. B.Venkataswamiya.

District Survey Officer and
Officer in charge of Survey and Settlement of Kayamgutta Baiderhalli village,
Civil and Military Station, Bangalore.

"C O P Y"

M. Krishnappa

SHERISTADAR.

S. N. 7

Issued 15/6/39 Ps

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. 56, dated Bangalore, the 15th June 1939.

The following notification of the District Survey Officer, Bangalore City, is published for information :—

O/C R. R.G.

for *Secretary to the Resident.*

105

OFFICE OF THE DISTRICT SURVEY OFFICER, BANGALORE DISTRICT AND OFFICER IN CHARGE OF SURVEY AND SETTLEMENT OF KAYAMGUTTA BAIDERHALLI VILLAGE, CIVIL AND MILITARY STATION, BANGALORE.

NOTIFICATION.

Dated Bangalore, the 10th June 1939.

Whereas the Hon'ble the British Resident in Mysore has under Section XXX of the Bombay Act I of 1865 ordered the introduction of a fresh Survey and Settlement into Kayamgutta Baiderhalli village, Civil and Military Station, Bangalore, in Notification No. 35, dated 28th April 1939 and whereas under the Hon'ble the Resident's Notification No. 36, dated 28th April 1939, the District Survey Officer, Bangalore, has been appointed Officer in charge of Survey and Settlement of the said Kayamgutta village and invested with all the powers of a Collector under Sections V and VI respectively of the said Bombay Act it is hereby notified for the information of the Kayamguttadar and the tenants holding lands in the said Kayamgutta village that the Survey and Classification Operations in the said village will be commenced from or about the 20th or the 21st of June 1939 by Mr. M. S. Hanumanthachar, Surveyor, who is deputed for the purpose.

The Kayamguttadar and the tenants should be present at the spot during the Survey Operations, point out the boundaries of their lands in their holding and furnish the labour necessary for the measurement and the erection of boundary marks. They should furnish such information as is necessary for the preparation of a record as required by Section XXVII of the said Bombay Act and should also produce when called on, sannads, kauls, leases, title-deeds, or documents relating to the lands in their holding.

B. VENKATASWAMIYA,
District Survey Officer and Officer in charge of Survey and Settlement of Kayamgutta Baiderhalli village.
Civil and Military Station, Bangalore.

To be published in the Mysore Residency Orders.

Copy forwarded to the Collector, Civil and Military Station, Bangalore, for information, with reference to his letter No.2118-D-39, dated the 14th June 1939.

Copy forwarded with compliments to the Chief Secretary to the Government of His Highness the Maharaja of Mysore, for information, with reference to his letter No.Pol. 1214/L.S.47-39-2, dated the 1st April 1939.